

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America

v.

HUBERT HARMON, JR.

Case No. **1:20-MJ-00231**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____ in the county of HAMILTON in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. 841(a)(1), 846

ATTEMPTED POSSESSION WITH INTENT TO DISTRIBUTE A
CONTROLLED SUBSTANCE

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☐ Continued on the attached sheet.

Jason Roth

Complainant's signature

INSP. JASON R. ROTH

Printed name and title

Sworn to before me and signed in my presence.

Date: Mar 12, 2020

Stephanie K. Bowman

Judge's signature



City and state: CINCINNATI, OHIO

HONORABLE STEPHANIE K. BOWMAN

Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Jason R. Roth, having been duly sworn, depose and state:

1. I am a United States Postal Inspector, having been so employed since February 2013. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the United States Postal Inspection Service (USPIS) with investigative responsibility for southwest Ohio and northern Kentucky. Part of my investigative responsibility involves the use of the United States Mail in the illegal transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.
2. Your Affiant completed United States Postal Inspection Service Basic Training in May 2013. The training involved narcotic investigation techniques, chemical field tests and training in the detection and identification of controlled substances being transported in the United States Mail. In addition to this formal training, your Affiant has worked since May 2013 with various federal, state and local law enforcement agencies in the investigation of the transportation of illegal drugs and their identification.
3. On or about May 1, 2019, your Affiant identified and intercepted a parcel ("the Parcel") from the Cincinnati Processing and Distribution Center, Cincinnati, OH.

The Parcel is further described as:

Priority Mail Express, Label Number: EE 473919722 US

The Parcel is in a white USPS Priority Mail Express Flat Rate Envelope. Dimensions are 12.5''x 9.5''. Postage paid for was \$25.50.

Sender: T. Baker
201 S. Knotts ave
Anaheim, CA. 92804

Addressee: R. Baker
12038 mason way ct.
Cincinnati, OH 45249

4. Observation and USPS tracking information of the Parcel, by your Affiant, indicated it was mailed from the Buena Park Post Office, Buena Park, CA 90622.
5. Your Affiant conducted research through the CLEAR database regarding the listed return address of the Parcel: T. Baker, 201 S. Knotts Ave., Anaheim, CA 92804. CLEAR is a public record data investigative platform available exclusively to law enforcement and other government investigators about people and businesses. The information obtained from the system indicated there is no T. Baker associated with that address.

6. Your affiant subsequently researched the CLEAR database regarding the listed addressee of the Parcel: R. Baker, 12038 mason way ct., Cincinnati, OH 45249. The information obtained from the system indicated there is a Rhonda Baker associated with that address.
7. On or about May 1, 2019, your Affiant arranged for Deputy Nick Poole, Hamilton County Sheriff's Office, to utilize a narcotics canine to check the Parcel. Deputy Poole and his canine "Akim" are a narcotics team certified by the Ohio Peace Officer Training Commission and the Office of the Attorney General (Ohio). Deputy Poole reports that "Akim" passed all of his examinations and has successfully located hidden drugs in the past and therefore your Affiant considers "Akim" to be reliable. On the same date, your Affiant met Deputy Poole at the USPIS Cincinnati Field Office where the Parcel was placed in a separate office among several other similar parcels and presented to narcotic canine, "Akim", who alerted positively to the presence or odor of a controlled substance upon the Parcel.
8. On that same date, your Affiant applied for and obtained a Federal Search Warrant to search the Parcel, Case No. 1: 19-MJ-329. Contents were found to be approximately 452 grams of a white crystalline substance which field-tested positive for methamphetamines. Contents were later submitted to the USPIS Forensic Laboratory and confirmed to be methamphetamine hydrochloride with an official weight of 439.5 grams with 97% purity.
9. On or about May 1, 2019, your Affiant also applied for and was granted a Federal Anticipatory Search Warrant for the residence of 12038 Mason Way Ct., Cincinnati, OH 45249, Case No. 1: 19-MJ-332, as well as a Federal Tracking Warrant for the Parcel, Case No. 1: 19-MJ-333.
10. On or about May 2, 2019, USPIS in conjunction with the Hamilton County Regional Enforcement Narcotics Unit (RENU) conducted a controlled delivery of the Parcel to 12038 Mason Way Ct., Cincinnati, OH 45249. The contents of the package were replaced with sham methamphetamine to also include a GPS Tracker and an Opening Alert Device consistent with the Federal Tracking Warrant. Continuing on that same date at approximately 10:30 AM, your Affiant, operating in an undercover capacity as a USPS Letter Carrier, wearing a USPS delivery uniform, and driving a USPS delivery vehicle, parked in front of 12038 Mason Way Ct., Cincinnati, OH 45249 and exited the delivery vehicle with the above mentioned parcel in hand. Your Affiant approached the residence, knocked once, then knocked again and announced "Post Office". A young adult male opened the door. Your Affiant advised he had a package for R. Baker. The male then reached for the package and your Affiant handed the package to him. He then closed the door of the residence, taking the package inside with him. Your Affiant then returned to his delivery vehicle, relayed the information to law enforcement on scene and left the area.
11. At approximately 11:28 AM, law enforcement received notification of movement on the Parcel toward the rear of the residence and roughly one minute later notification the

Parcel had been opened. A different adult male, later identified as Hubert Harmon Jr., was observed by law enforcement throwing the Parcel and its contents into the brush and emerging from the brush in the rear of the residence along the fence line. At this time, law enforcement executed the search warrant of the residence and arrested Harmon.

12. Harmon was transported to the Hamilton County Sheriff's Office District 3 Office where he was read a Miranda Rights and Waiver form, which he signed agreeing to speak with law enforcement. Harmon admitted to receiving methamphetamine through the US Mail and took responsibility of the contents of the Parcel. Harmon was transported to the Hamilton County Justice Center for an active felony warrant.

Based on the foregoing information, your Affiant believes there is probable cause to believe that Hubert Harmon Jr. committed the offense of Attempted Possession with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C §§ 841(a)(1) and 846, and respectfully requests that a warrant be issued for Hubert Harmon Jr.'s arrest.

Further, your Affiant sayeth naught.

Jason Roth

Jason R. Roth
U.S. Postal Inspector

Subscribed and sworn to and before me this 12th day of March, 2020

Stephanie K. Bowman

Stephanie K. Bowman
United States Magistrate Judge

